REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1 and 9 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 4-7, 9, 19-23, and 25 are pending and under consideration. Claims 23 and 25 have been allowed. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

(a) it is believed that the amendments of claims 1 and 9 put this application into condition for allowance; claim 9 was amended as suggested by the Examiner;

(b) the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendments of claims 1 and 9 should not entail any further search by the Examiner since no new issues are being raised; and/or

(d) the amendments place the application at least into a better form for appeal.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

EXAMINER'S RESPONSE TO ARGUMENTS:

In the Office Action, at page 2, numbered paragraphs 1-2, the Examiner withdrew her rejections under 35 USC 112, first and second paragraphs, in the previous Office Action and submitted her response to Applicants arguments.

The Examiner argues that a nonwoven diaper product of Kropf meets the limitation of a filter body. It is respectfully submitted that Merriam Webster (on-line dictionary) defines a diaper as "a basic garment for infants consisting of a folded cloth or other absorbent material drawn up

between the legs and fastened about the waist; *also* : a similar garment especially for incontinent adults." Hence, it is respectfully submitted that the function of a diaper is for absorbency, not for filtering.

Nevertheless, independent claim 1 has been amended to change "a filter body" to recite "a filter body in an air cleaner" for clarity. This amendment is supported by paragraph [0022] of the specification.

Hence, it is respectfully submitted that amended independent claim 1 of the present invention distinguishes over, and is patentable over, Kropf.

REJECTION UNDER 35 U.S.C. §112:

In the Office Action, at page 3, numbered paragraph 4, claim 9 was rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. This rejection is traversed and reconsideration is requested.

Claim 9 has been amended for clarity to delete terminology referring to a filter body, as suggested by the Examiner. Hence, amended claim 9 is submitted to be in allowable form under 35 U.S.C. §112, second paragraph.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at page 4, numbered paragraph 6, claims 1, 4-7 and 19-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kropf et al. (US 2005/0234416 A1; hereafter, Kropf). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

As noted above, independent claim 1 of the present invention has been amended to change "a filter body" to recite "a filter body in an air cleaner" for clarity. It is respectfully submitted that Kropf does not teach or suggest the use of nano-sized materials in a filter body in an air cleaner, as is recited in amended claim 1 of the present invention.

Also, in the present invention the thermal treatment operation is performed at 50-150°C. The filter of Kropf et al. cannot be treated thermally at 50-150°C.

Hence, amended claim 1 of the present invention is submitted to be patentable under 35 U.S.C. §103(a) over Kropf et al. (US 2005/0234416 A1). Since claims 4-7 and 19-22 depend from amended claim 1, claims 4-7 and 19-22 are submitted to be patentable under 35 U.S.C. §103(a) over Kropf et al. (US 2005/0234416 A1) for at least the reasons amended claim 1 is patentable under 35 U.S.C. §103(a) over Kropf et al. (US 2005/0234416 A1).

ALLOWABLE SUBJECT MATTER:

A. In the Office Action, at page 4, numbered paragraph 7, claims 23 and 25 were allowed.

Applicants thank the Examiner for her careful review and allowance of claims 23 and 25.

B. In the Office Action, at page 4, numbered paragraph 8, the Examiner submitted that claim 9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 USC §112, second paragraph, set for the in this Office Action.

Claim 9 has been amended as suggested by the Examiner and is now submitted to be in allowable form.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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